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Attorneys For Defendant
City of Capitola

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SURF AND SAND, LLC, a
California Limited Liability
Company,

Plaintiff,

CITY OF CAPITOLA, and DOES 1
through 10, Inclusive

Defendants.

CASE NO. C07 05043

Judge: Richard Seeborg

E-FILING

COURTROOM: 3, 5th Floor
ACTION FILED: 10/01/07

**STIPULATION SETTING HEARING DATE ON DEFENDANT'S MOTION TO
DISMISS FIRST AMENDED COMPLAINT; ORDER THEREON**

**STIPULATION SETTING HEARING DATE ON DEFENDANT'S MOTION TO
DISMISS FIRST AMENDED COMPLAINT; ORDER THEREON**

1 The parties hereby stipulate that the hearing on defendant's Motion to Dismiss
2 First Amended Complaint currently set for May 21, 2008, be moved to May 20, 2008 at
3 10:00 a.m.

4
5 Respectfully Submitted,

6 Dated: May 7, 2008

Henry E. Heater
Donald R. Lincoln
Linda B. Reich
Endeman, Lincoln, Turek & Heater LLP

John G. Barisone
City Attorney, City of Capitola
Atchison, Barisone, Condotti & Kovacevich

11 By: Linda Reich
12 Linda B. Reich
13 Attorneys for Defendant City of
14 Capitola

15 Dated: May __, 2008

Robert Coldren
C. William Dahlin
Mark Alpert
Hart, King, & Coldren

18 By: _____
19 Mark Alpert
20 Attorneys for Plaintiff Surf and Sand, LLC
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City Attorney, City of Capitola
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11 By: Linda B. Reich
12 Linda B. Reich
13 Attorneys for Defendant City of
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14
15 Dated: May 6, 2008

Robert Coldren
C. William Dahlin
Mark Alpert
Hart, King, & Coldren

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19 By: Mark Alpert
20 Mark Alpert
Attorneys for Plaintiff Surf and Sand, LLC

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STIPULATION SETTING HEARING DATE ON DEFENDANT'S MOTION TO
DISMISS FIRST AMENDED COMPLAINT; ORDER THEREON

ORDER

Pursuant to the parties' stipulation, the hearing on Defendant's Motion to Dismiss First Amended Complaint is moved to May 20, 2008 at 10:00 a.m.

Dated: _____

Hon. Richard Seeborg, Magistrate Judge